

## **SEC. 36.417. EXEMPTIONS.**

(a) This chapter shall not apply to:

(1) Emergency work, as defined in this chapter, provided that (A) the person performing the work notifies noise control officer in advance, or as soon as practicable after the emergency and (B) any vehicle, device, apparatus or equipment used, related to or connected with the emergency work is designed, modified or equipped to reduce noise produced to the lowest possible level consistent with effective operation of the vehicle, device, apparatus or equipment.

(2) Noise reasonably related to authorized school: (A) bands, (B) athletic activities and (C) entertainments events.

(3) Sporting, entertainment and public events which are conducted pursuant to a license or permit issued by the County, within the scope of the license or permit. This section is not intended to excuse the act of an individual not participating in the event who violates this chapter.

(4) The operation of an emergency generator after a power failure, by an employee or agent of a law enforcement agency, fire department, hospital or other medical or surgical facility that is providing emergency medical services.

(5) The reasonable testing of an emergency generator by any person provided that the testing is conducted between the hours of 7 a.m. and 7 p.m.

(6) Any activity preempted by State or federal law.

(b) Section 36.404 shall not apply to:

(1) Noise associated with routine property maintenance used either in part or in whole for residential purposes, provided activity takes place between 7 a.m. and 8 p.m. on any day except Sunday or between 10 a.m. and 8 p.m. on Sunday.

(2) Equipment associated with agricultural operations, provided that each piece of equipment and machinery powered by an internal-combustion engine is equipped with an appropriate muffler and air intake silencer in good working order and one of the following applies:

(A) Operations do not take place between 7 p.m. and 7 a.m. of the following day.

(B) The operations and equipment are utilized for the preparation, planting, harvesting, protection or salvage of agricultural crops during periods of potential or actual frost damage or other adverse weather conditions.

(C) The operations and equipment are used for agricultural pest control in accordance with regulations and procedures administered by the County Department of Agriculture.